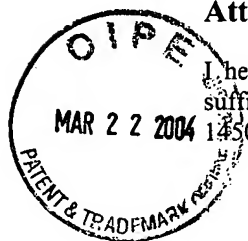


Image

1632



Attorney Docket No. 0800-0009.08 (1005.CIP3.3 (CON))

PATENT

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on March 19 2004.

By: Gail Wardwell
Gail Wardwell

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of PODSAKOFF et al.

Serial No.: 10/092,454

Examiner: Anne M.S. Wehbe

Confirmation No.: 9403

Art Unit: 1632

Filed: March 5, 2003

For: METHODS FOR DELIVERING DNA TO MUSCLE CELLS USING
RECOMBINANT ADENO-ASSOCIATED VIRUS VECTORS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT TRANSMITTAL

Enclosed is an Information Disclosure Statement and accompanying Form PTO/SB/08A for the above-identified patent application.

- ☐ In accordance with 37 C.F.R. §1.97(b), no additional fee for submission of the IDS is required.
- ☐ In accordance with 37 C.F.R. §1.97(c), also enclosed is:
 - ☐ the fee of \$180.00 as set forth in 37 C.F.R. §1.17(p); or
 - ☐ a statement as specified in 37 C.F.R. §1.97(e).
- ☒ In accordance with 37 C.F.R. §1.97(d), a statement as specified in 37 C.F.R. §1.97(e) is enclosed.
- ☐ Check No. ___ in the amount of \$___ for the total fee is attached.

☒ [X] A return receipt postcard is also enclosed.

☐ [] Please charge \$_____ to Deposit Account No. 18-1648 for the total fee.
This paper is being submitted in duplicate.

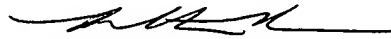
The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§1.16, 1.17, and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 18-1648.

Dated: 3/19/04

Respectfully submitted,

Robins & Pasternak LLP
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By:


Roberta L. Robins
Reg. No. 33,208



Attorney Docket No. 0800-0009.08 (1005.CIP3.3 (CON))

PATENT

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Mail Stop
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97(d)

In accordance with the duty of disclosure set forth in 37 C.F.R. §1.56,

Applicant(s) hereby submits the following information in conformance with 37 C.F.R.
§§1.97 and 1.98.

- ☒ Pursuant to 37 C.F.R. §1.98, a copy of each document cited in the attached Form PTO/SB/08 is enclosed.
- ☐ No copies of the publications listed on the attached Form PTO/SB/08A are being provided pursuant to 37 C.F.R. §1.98(d) because the publications were previously cited by or submitted to the Office in prior Application Serial No. ___ to which the above-identified application claims priority under 35 U.S.C. §120.
- ☒ Publication(s) B1 & B2 listed on the attached Form PTO/SB/08A were cited in a foreign search or examination report corresponding to European application serial no. 97904823.8 and mailed on March 4, 2004.

- ☐ Enclosed is a copy of a non-English publication(s) _____. Pursuant to §609 of the M.P.E.P., Applicant submits the attached foreign search or examination report, which cites such non-English language publication(s).
- ☐ Enclosed is a copy of a non-English publication(s) _____. English language publication ____ (copy enclosed) claims priority from this non-English publication.
- ☐ Enclosed is an explanation of non-English publication(s) _____ for which an English translation is not available.
- ☐ Enclosed is an English translation of non-English publication(s) _____ cited in the attached Form PTO/SB/08A.
- ☐ Enclosed is a copy of pending patent Application Serial No. _____.

This Information Disclosure Statement is filed after the period specified in 37 C.F.R. § 1.97(c), but on or before the payment of the issue fee.

In accordance with 37 C.F.R. § 1.97(d) also enclosed is:


- ☐ Fee under 37 C.F.R. § 1.17(p) in the amount of \$180.00;
- ☒ Statement as specified in 37 C.F.R. § 1.97(e):
 - ☒ Each item of information contained in the Information Disclosure Statement cited herein was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing date of the Information Disclosure Statement; or
 - ☐ No item of information contained in the Information Disclosure Statement submitted herewith was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, having made a reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing date of the Information Disclosure Statement.

It is respectfully requested that the Examiner consider the above-noted information and return an initialed copy of the attached Form PTO/SB/08A to the undersigned.

Dated: 3/19/04

Respectfully submitted,

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1731 Embarcadero Road, Suite 230
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Tel: (650) 493-3400
Fax: (650) 493-3440

By: 
Roberta L. Robins
Reg. No. 33,208



PTO/SB/08A (08-00)

Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Complete if Known

Application Number	10/092,454
Filing Date	March 5, 2003
First Named Inventor	PODSAKOFF
Group Art Unit	1632
Examiner Name	Anne M.S. Wehbe
Attorney Docket Number	0800-0009.08 (1005.CIP3.3 (CON))

Sheet	1	of	1
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U.S. PATENT DOCUMENTS

[illegible]

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	T ⁶
		Office ³	Number ⁴	Kind Code ⁵ (if known)			
	B1	WO	96/40272	A1	University of North Carolina at Chapel Hill	12-19-1996	
	B2	WO	97/12050	A1	The Rockefeller University	03-03-1997	

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number.

² See attached Kinds of U.S. Patent Documents.

³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3).

⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible.

⁶ Applicant is to place a check mark here if English language Translation is attached.